

**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF WASHINGTON**

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1. Licensee failed to report and account for premiums, in violation of RCW 48.17.480.
 - a. At the completion of the 1999 examination, licensee was requested to disburse a number of return premium refunds to consumers. Twenty-two (22) checks remained outstanding since 1999. Licensee failed to report unclaimed consumer checks, \$2,409.48, discovered during previous 1999 exam, to Department of Revenue Unclaimed Property.
 - b. Current exam found seven (7) cases where return premiums, \$1,763.33, were not sent to the consumer. There were also thirty-four (34) other cases where premium, \$3,194.63, adjustments and overcharges were not sent to the consumer.
2. Licensee failed to properly maintain a separate account for premiums, as required by RCW 48.17.600 and WAC 284-12-080.
 - a. During the current exam it was found that during the months of September through December 2000, and February and March 2001, insurance premiums were not transacted through the separate premium account. Licensee used its operating account to deposit premiums.

The licensee has engaged in practices that are not in accord with the standards set out in the Insurance Code of Washington, Title 48 RCW, and Washington Administrative Code, Title 284 WAC. Accordingly, the licensee enters this Stipulation to the following Order voluntarily and with the understanding that such fine is in lieu of any suspension or revocation of the licensee's license for such conduct. The facts described above, and the Commissioner, may consider the fact of this stipulation in any future administrative actions regarding licensee.

Signed this ____ day of _____, 2001.

In Town Car Sales, Inc

By: _____ Title: _____

ORDER

Pursuant to RCW 48.17.560 and the foregoing Stipulation, the Commissioner hereby imposes a fine in the amount of \$500.00 upon In Town Car Sales, Inc. (DBA: Performance Volkswagon).

The fine shall be paid in full within 30 days from the date of this Order. Upon failure to pay the fine, the Commissioner will revoke the license of the licensee and the fine will be recoverable in a civil action brought on behalf of the Commissioner by the Attorney General.

ENTERED AT LACEY, WASHINGTON, this 4th day of December, 2001.

Mike Kreidler
Insurance Commissioner

By

Scott Jarvis
Deputy Commissioner

Examiner: Mary Manum